



## LIVING WAGE ACT FACT SHEET

The "Living Wage Act of 2006," Title I of D.C. Law 16-18, (D.C. Official Code §§2-220.01-.11 became effective June 9, 2006. It generally provides that District of Columbia government contractors and recipients of government assistance (grants, loans, tax increment financing) in the amount of \$100,000 or more shall pay affiliated employees wages no less than the amount of \$11.75 per hour.

Subcontractors of D.C. government contractors who receive \$15,000 or more from the contract and subcontractors of the recipients of government assistance who receive \$50,000 or more from the assistance are also required to pay their affiliated employees no less than \$11.75 per hour.

"Affiliated employee" means any individual employed by a recipient who received compensation directly from government assistance or a contract with the District of Columbia government, including any employee of a contractor or subcontractor of a recipient who performs services pursuant to government assistance or contract. The term "affiliated employee" does not include those individuals who perform only intermittent or incidental services with respect to the contract or government assistance or who are otherwise employed by the contractor, recipient or subcontractor.

**Exemptions** – The following contracts and agreements are exempt from the "*Living Wage Act*":

1. Contracts or other agreements that are subject to higher wage level determinations required by federal law (i.e., if a contract is subject to the Service Contract Act and certain wage rates are lower than the District's current living wage, the contractor must pay the higher of the two rates);
2. Existing and future collective bargaining agreements, provided, that the future collective bargaining agreement results in the employee being paid no less than the established living wage;
3. Contracts for electricity, telephone, water, sewer or other services provided by a regulated utility;
4. Contracts for services needed immediately to prevent or respond to a disaster or eminent threat to public health or safety declared by the Mayor;
5. Contracts or other agreements that provide trainees with additional services including, but not limited to, case management and job readiness services; provided that the trainees do not replace employees subject to the Living Wage Act of 2006;
6. An employee, under 22 years of age, employed during a school vacation period, or enrolled as a full-time student, as defined by the respective institution, who is in high school or at an accredited institution of higher education and who works less than 25 hours per week; provided that he or she does not replace employees subject to the Living Wage Act of 2006;

7. Tenants or retail establishments that occupy property constructed or improved by receipt of government assistance from the District of Columbia; provided, that the tenant or retail establishment did not receive direct government assistance from the District;
8. Employees of nonprofit organizations that employ not more than 50 individuals and qualify for taxation exemption pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));
9. Medicaid provider agreements for direct care services to Medicaid recipients, provided, that the direct care service is not provided through a home care agency, a community residence facility, or a group home for mentally retarded persons as those terms are defined in section 2 of the Health-Care and Community Residence Facility, Hospice, and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501); and
10. Contracts or other agreements between managed care organizations and the Health Care Safety Net Administration or the Medicaid Assistance Administration to provide health services.

### Enforcement

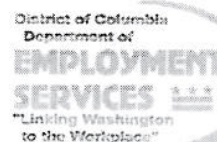
The Department of Employment Services (DOES) and the D.C. Office of Contracting and Procurement (OCP) share monitoring responsibilities.

If you learn that a contractor is not paying at least the living wage you should report it to the Contracting Officer.

If you believe that your employer is not paying you at least the required living wage, you may file a complaint with the DOES Office of Wage – Hour, located at 64 New York Avenue, N.E., Room 3105, (202) 671-1880.

For questions and additional information, contact the Office of Contracting and Procurement at (202) 727-0252 or the Department of Employment Services on (202) 671-1880.

**Please note:** *This fact sheet is for informational purposes only as required by Section 106 of the Living Wage Act. It should not be relied on as a definitive statement of the Living Wage Law or any regulations adopted pursuant to the law.*



Government of the District of Columbia  
Anthony A. Williams, Mayor  
Department of Employment Services  
Gregory P. Irish, Director

General Decision Number: DC070003 01/04/2008 DC3

Superseded General Decision Number: DC20030003

State: District of Columbia

Construction Type: Building

County: District of Columbia Statewide.

BUILDING CONSTRUCTION PROJECTS (Does not include single family homes and apartments up to and including 4 stories)

| Modification Number | Publication Date |
|---------------------|------------------|
| 0                   | 02/09/2007       |
| 1                   | 05/04/2007       |
| 2                   | 05/11/2007       |
| 3                   | 05/18/2007       |
| 4                   | 06/08/2007       |
| 5                   | 06/15/2007       |
| 6                   | 06/22/2007       |
| 7                   | 06/29/2007       |
| 8                   | 07/06/2007       |
| 9                   | 07/20/2007       |
| 10                  | 09/14/2007       |
| 11                  | 11/02/2007       |
| 12                  | 11/09/2007       |
| 13                  | 11/16/2007       |
| 14                  | 12/21/2007       |
| 15                  | 12/28/2007       |
| 16                  | 01/04/2008       |

ASBE0024-001 10/01/2007

|   | Rates    | Fringes |
|---|----------|---------|
| Asbestos Worker/Heat and Frost Insulator  |          |         |
| Includes the application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems..... | \$ 27.88 | 13.88   |

ASBE0024-002 10/01/2007

|  | Rates    | Fringes |
|--|----------|---------|
| HAZARDOUS MATERIAL HANDLER   |          |         |
| Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials, whether they contain asbestos or not, from mechanical systems..... | \$ 17.95 | 6.50    |



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ASBE0024-005 10/01/2007

|                           | Rates    | Fringes |
|---------------------------|----------|---------|
| Fire Stop Technician..... | \$ 22.95 | 6.39    |

Includes the application of materials or devices within or around penetrations and openings in all rated wall or floor assemblies, in order to prevent the passage of fire, smoke of other gases. The application includes all components involved in creating the rated barrier at perimeter slab edges and exterior cavities, the head of gypsum board or concrete walls, joints between rated wall or floor components, sealing of penetrating items and blank openings.

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BRDC0001-001 04/30/2007

|                 | Rates    | Fringes |
|-----------------|----------|---------|
| BRICKLAYER..... | \$ 25.90 | 6.19    |

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CARP0132-006 05/01/2007

|                               | Rates    | Fringes |
|-------------------------------|----------|---------|
| Carpenters (Including Drywall |          |         |
| Hanging).....                 | \$ 24.37 | 6.15    |
| Piledriver.....               | \$ 22.87 | 6.85    |

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ELEC0026-003 09/03/2007

|                               | Rates    | Fringes |
|-------------------------------|----------|---------|
| Communication Technician..... | \$ 23.15 | 3%+6.87 |

SCOPE OF WORK: Includes low voltage construction, installation, maintenance and removal of teledata facilities (voice, data and video) including outside plant, telephone and data inside wire, interconnect, terminal equipment, central offices, PABX, fiber optic cable and equipment, railroad communications, micro waves, VSAT, bypass, CATV, WAN (Wide area networks), LAN (Local area networks) and ISDN (Integrated systems digital network).

WORK EXCLUDED: The installation of computer systems in industrial applications such as assembly lines, robotics and computer controller manufacturing systems. The installation of conduit and/or raceways shall be installed by Inside Wiremen. On sites where there is no Inside Wireman employed, the Teledata Technician may install raceway or conduit not greater than 10 feet. Fire alarm work is excluded on all new construction sites or wherever the fire alarm system is installed in conduit. All HVAC control work.

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ELEC0026-016 11/05/2007

|  | Rates | Fringes |
|--|-------|---------|
|--|-------|---------|

Electricians (Excluding  
Communication-Low Voltage  
Wiring).....\$ 34.55 11.39+a

a. PAID HOLIDAYS: New Year's Day, Martin Luther King Jr.'s Birthday, Inauguration Day, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving and Christmas Day or days designated as legal holidays by the Federal Government.

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ENGI0077-009 05/01/2007

|                               | Rates    | Fringes  |
|-------------------------------|----------|----------|
| Power equipment operators:    |          |          |
| Boom Trucks.....              | \$ 26.47 | 6.82+a+b |
| Cranes (35 tons and above) .. | \$ 27.64 | 6.82+a+b |
| Cranes (under 35 tons) .....  | \$ 27.18 | 6.82+a+b |
| Forklifts.....                | \$ 19.90 | 6.82+a   |
| Piledrivers.....              | \$ 27.18 | 6.82+a   |

a. PAID HOLIDAYS:

New Years Day, Inaugural Day, Decoration Day, Independence Day, Labor Day, Martin Luther King's Birthday, Veterans Day, Thanksgiving Day, Friday after Thanksgiving and Christmas Day.

b. PREMIUM PAY:

Tower cranes and cranes 100-ton and over to receive \$1.00 per hour premium over Group One.

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IRON0005-001 06/01/2007

|  | Rates    | Fringes |
|--|----------|---------|
| Ironworkers:                                     |          |         |
| Structural, Ornamental and Chain Link Fence..... | \$ 26.73 | 11.995  |

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IRON0201-003 05/01/2007

|                               | Rates    | Fringes |
|-------------------------------|----------|---------|
| Ironworker (Reinforcing)..... | \$ 24.80 | 12.08   |

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LABO0657-001 06/01/2007

|                      | Rates    | Fringes |
|----------------------|----------|---------|
| Laborer:Skilled..... | \$ 18.81 | 4.29    |

FOOTNOTE: Potmen, power tool operator, small machine operator, concrete labor including concrete preparation, signalmen, laser beam operator, waterproofer, open caisson, test pit, underpinnig, pier hole and ditches, ladders and all work associated with lagging that is not expressly stated, strippers, operator of hand derricks, vibrator operators, pipe layers, or tile layers (tile laid on road construction projects ONLY), operators of jackhammer, paving breakers, spaders or any machine that does the same

general type of work, scaffold builders, operators of towmasters, scootcretes, buggymobiles and other machines of similar character, operators of tampers and rammers and other machines that do the same general type of work, whether powered by air, electric or gasoline builders of trestle scaffolds over one tier high and sand blaster, power and chain saw operators used in clearing, installers of well points, wagon drill operators, acetylene burners and licensed powdermen.

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LABO0657-002 06/01/2007

|                           | Rates    | Fringes |
|---------------------------|----------|---------|
| Laborers:                 |          |         |
| Mason Tenders, Brick..... | \$ 14.14 | 4.29    |
| Mortarmen, Scaffold       |          |         |
| Builders.....             | \$ 14.90 | 4.29    |

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MARB0002-002 05/01/2007

|                           | Rates    | Fringes |
|---------------------------|----------|---------|
| Marble & Stone Mason..... | \$ 31.00 | 11.52   |

INCLUDES pointing, caulking and cleaning of All types of masonry, brick, stone and cement structures; EXCEPT pointing, caulking and cleaning of exisiting masonry, brick, stone and cement (restoration work)

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MARB0003-001 05/01/2007

|   | Rates    | Fringes |
|---|----------|---------|
| Mosaic & Terrazzo Worker,<br>Tile Layer |          |         |
| Marble Mason and Tile Layer..           | \$ 24.67 | 8.78    |
| Terrazzo Worker.....                    | \$ 25.42 | 8.78    |

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MARB0003-004 05/01/2007

|  | Rates    | Fringes |
|--|----------|---------|
| Marble, Tile & Terrazzo<br>Finisher..... | \$ 19.84 | 7.90    |

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PAIN0051-004 06/01/2007

|   | Rates    | Fringes |
|---|----------|---------|
| Glaziers                                |          |         |
| Contracts \$2 million and<br>under..... | \$ 24.12 | 7.46    |
| Contracts over \$2 million...           | \$ 26.34 | 7.46    |

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PAIN0051-010 06/01/2007

|           | Rates | Fringes |
|-----------|-------|---------|
| Painters: |       |         |



|   |      |
|---|------|
| Brush, Roller, Spray and<br>Drywall Finisher.....\$ 23.31 | 7.31 |
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 PLAS0891-003 05/01/2007

|   | Rates | Fringes |
|---|-------|---------|
| Cement Mason/Concrete Finisher...\$ 26.15 |       | 6.01    |

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 \* PLUM0005-007 10/21/2007

|  | Rates | Fringes           |
|--|-------|-------------------|
| Plumbers   |       |                   |
| Apartment Buildings over 4 stories (except hotels), schools, colleges and speculative office buildings, strip shopping centers, churches, water coolers, room air conditioning units, appliances, packaged ice machines and light commercial refrigeration and/or air conditioning systems serving a single business in a single story building and not to exceed 5. h.p. or tons, self-contained package unit up to including 5 h.p. or tons.\$ 21.54 |       |                   |
| ALL Other Work.....\$ 33.92  |       | 8.33+a<br>12.94+a |

a. PAID HOLIDAYS: Labor Day, Veterans' Day, Thanksgiving Day and the day after Thanksgiving, Christmas Day, New Year's Day, Martin Luther King's Birthday, Memorial Day and the Fourth of July.

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 PLUM0602-006 11/01/2007

|  | Rates | Fringes |
|--|-------|---------|
| Steamfitter, Refrigeration & Air Conditioning Mechanic (Including HVAC Pipe Work).....\$ 33.27 |       | 13.57+a |

a. PAID HOLIDAYS:

New Year's Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and the day after Thanksgiving Day and Christmas Day.

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 SFDC0669-001 01/01/2007

|                                | Rates | Fringes |
|--------------------------------|-------|---------|
| Sprinkler Fitters.....\$ 27.45 |       | 13.40   |

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 SHEE0100-002 07/01/2007

|  | Rates    | Fringes |
|--|----------|---------|
| Sheet Metal Worker (Including HVAC Duct Work)..... | \$ 31.54 | 11.65   |

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 SUDC2000-001 04/12/2000

|  | Rates    | Fringes |
|--|----------|---------|
| Laborer, Unskilled.....  | \$ 11.83 | 2.23    |
| Pointer, caulker and cleaner<br>INCLUDES pointing,<br>caulking and cleaning of<br>existing masonry, brick,<br>stone and cement<br>structures (restoration<br>work); EXCLUDES pointing,<br>caulking and cleaning of<br>new or replacement<br>masonry, brick, stone and<br>cement..... | \$ 20.00 |         |

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 WELDERS - Receive rate prescribed for craft performing  
 operation to which welding is incidental.  
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Unlisted classifications needed for work not included within  
 the scope of the classifications listed may be added after  
 award only as provided in the labor standards contract clauses  
 (29CFR 5.5 (a) (1) (ii)).

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 In the listing above, the "SU" designation means that rates  
 listed under the identifier do not reflect collectively  
 bargained wage and fringe benefit rates. Other designations  
 indicate unions whose rates have been determined to be  
 prevailing.  
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#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can  
 be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on  
 a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests  
 for summaries of surveys, should be with the Wage and Hour  
 Regional Office for the area in which the survey was conducted  
 because those Regional Offices have responsibility for the  
 Davis-Bacon survey program. If the response from this initial  
 contact is not satisfactory, then the process described in 2.)



and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION